

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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SHERYL SKERRY,	:	
	:	DISTRICT COURT
Plaintiff,	:	DISTRICT OF MASS.
vs.	:	
	:	
WYETH, INC.;	:	Case No. 05 CV 10144 DPW
WYETH PHARMACEUTICALS, INC.;	:	
PFIZER, INC., PHARMACIA &	:	
UPJOHN, LLC, f/k/a PHARMACIA &	:	
UPJOHN INC. PHARMACIA &	:	
UPJOHN COMPANY LLC f/k/a	:	
PHARMACIA & UPJOHN COMPANY,	:	
BARR LABORATORIES, INC.;	:	
GREENSTONE, LTD.,	:	
	:	
Defendants.	:	

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE
OF DEFENDANT BARR LABORATORIES, INC.**

NOW COMES Plaintiff Sheryl Skerry, by and through her attorneys, Donald R. Grady, Jr. of the Sheff Law Offices, P.C., and Tobias L. Millrood and Steven D. Resnick of Schiffriin & Barroway, LLP, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) hereby dismisses, without prejudice, defendant Barr Laboratories, Inc. ("Barr") from the above-captioned action.

This dismissal will automatically become a dismissal *with* prejudice in the event Plaintiff does not file a subsequent action against Barr on or before September 18, 2005. If Plaintiff does file a subsequent lawsuit on or before September 18, 2005, then all defenses to which Barr was entitled as of the date of the original Complaint are preserved.

In any lawsuit against Barr that Plaintiff may file on or before September 18, 2005, Barr agrees that it may not assert any statute of limitations defense based solely on the passage of time between the dates of the original Complaint and the subsequent lawsuit.

STIPULATED TO BY:

Dated:



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Dated:



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And

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CERTIFICATE OF SERVICE

I hereby certify that on this 25 day of MARCH 2005, a true and correct copy of the foregoing was served via U.S. Mail addressed as follows:

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